



FORMRSELCC 10/20

APPLICATION FORM

APPROVAL TO OWN OR CONTROL AN RSE LICENSEE

Under s. 29HA of the *Superannuation Industry (Supervision) Act 1993 (SIS Act)*.

PART A – GENERAL INFORMATION

All questions in the *Application Form – Approval to own or control an RSE licensee (Form RSELCC)* must be completed.

Application details

How do you wish this form to be treated? *(check box)*

- As an application for the purposes of s. 29HA of the SIS Act
- As a draft application only

Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

A.1 - Details of Applicant/s

Fill in details below or attach a Schedule of Applicants if more than two applicants

Schedule of Applicants

Attached (check box)

OR

Name of Applicant 1

ABN or equivalent ID (if applicable)

Type of Applicant

Individual

Body corporate

Other (please specify)

Name of Applicant 2

ABN or equivalent ID (if applicable)

Type of Applicant

Individual

Body corporate

Other (please specify)

A.2 - Contact details for application

Contact person – primary

Title

Mr

Mrs

Ms

Other

Name

Position held

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Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

A.3 – Applicant body corporate details (if applicable)

Fill in details below or include details in Schedule of Applicants if more than two applicants

Schedule of Applicants

Attached (check box)

OR

Applicant 1

Trading Name(s)

Registered address

Street address

*(if same as registered address,
write "as above")*

Postal address

*(if same as registered address,
write "as above")*

Website

Applicant 2

Trading Name(s)

Registered address

Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

Street address

*(if same as registered address,
write "as above")*

Postal address

*(if same as registered address,
write "as above")*

Website

A.4 – Australian Financial Services Licence (AFSL)

Does any Applicant hold an AFSL?

Yes

No

If yes, complete this section. Fill in details below or include details in Schedule of Applicants if more than two applicants.

Schedule of Applicants

Attached (check box)

OR

Applicant 1

Name of AFSL holder

ABN

AFSL number

Date last issued

 / /

AFSL

Attached (check box)

Historical ASIC Company Search

Attached (check box)

Date of search

 / /

Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

Applicant 2

Name of AFSL holder

ABN

AFSL number

Date last issued

 / /

AFSL

 Attached (check box)

Historical ASIC Company Search

 Attached (check box)

Date of search

 / /

A.5 – Regulated by foreign regulator/s

Is any Applicant regulated by a foreign regulator/s?

 Yes

 No

If yes, complete this section. Fill in details below or include details in Schedule of Applicants if more than two applicants.

Schedule of Applicants

 Attached (check box)

OR

Applicant 1

Name(s) of foreign regulator/s

Country/s

Contact Details of foreign regulator/s

Applicant 2

Name(s) of foreign regulator/s

Country/s

Contact Details of foreign regulator/s

Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

Details of current and proposed controlling stake

A.6 – Details of RSE licensee

Name of RSE licensee 1

ABN

Class of licence *(check box)*

 PO

 EPO

 NPO

 Acting Trustee

RSE licensee constitution

 Attached (check box)

Historical ASIC Company Search

 Attached (check box)

Name of RSE licensee 2

ABN

Class of licence *(check box)*

 PO

 EPO

 NPO

 Acting Trustee

RSE licensee constitution

 Attached (check box)

Historical ASIC Company Search

 Attached (check box)

Name of RSE licensee 3

ABN

Class of licence *(check box)*

 PO

 EPO

 NPO

 Acting Trustee

RSE licensee constitution

 Attached (check box)

Historical ASIC Company Search

 Attached (check box)

Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

A.7 – Current and proposed percentage holding

Does any Applicant already hold a stake in the RSE licensee for which approval is sought?

Yes

No

If yes, complete this section. Fill in details below or include details in Schedule of Applicants if more than two applicants.

Schedule of Applicants

Attached (check box)

OR

Applicant 1

Existing holding *(if applicable)*

Proposed holding

Applicant 2

Existing holding *(if applicable)*

Proposed holding

A.8 – Proposed date of change of ownership / control of RSE licensee

Proposed date of change

 / /

Details explaining basis for the proposed date of change

Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

A.9 – Applicant background

A9.1 Does any Applicant currently hold, or has any Applicant previously held, a controlling stake in an RSE licensee? Yes No

If yes, complete this section. Fill in details below or include details in Schedule of Applicants if more than two applicants.

Schedule of Applicants Attached (check box)

OR

Applicant 1

Details of ownership or control

Applicant 2

Details of ownership or control

A9.2 Does any Applicant have any current or previous involvement in an RSE licensee?

Yes No

If yes, complete this section. Fill in details below or include details in Schedule of Applicants if more than two applicants.

Schedule of Applicants Attached (check box)

OR

Applicant 1

Details of involvement

Applicant 2

Details of involvement

Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

A.10 – Change of RSE licensee details - Director

Does the proposal include any change of Director(s) on the Board of the RSE licensee?

Yes

No

If yes, complete this section for each proposed director below or include details in Schedule of Directors if more than 2 Director changes.

Schedule of Directors

Attached (check box)

OR

Director 1

Title

Mr

Mrs

Ms

Other

Name of Director

RSE Licensee name

Date of Birth

 / /

Former names

Position of Director *(check box)*

Executive director

Non-executive director

Independent director

Employer representative

Member representative

Chairperson of the Board *(check box)*

Yes

No

Date of proposed appointment

 / /

Director being replaced *(if applicable)*

Fit and proper assessment completed

Yes

No

Contact details - proposed director

Direct business number

Mobile number

Email

Part A continues on the next page



PART A – GENERAL INFORMATION (CONTINUED)

Director 2

Title Mr Mrs Ms Other

Name of Director

RSE Licensee name

Date of Birth / /

Former names

Position of Director *(check box)*

- Executive director
- Non-executive director
- Independent director
- Employer representative
- Member representative

Chairperson of the Board *(check box)* Yes No

Date of proposed appointment / /

Director being replaced *(if applicable)*

Fit and proper assessment completed Yes No

Contact details - proposed director

Direct business number

Mobile number

Email

Part A continues on the next page



PART A – GENERAL INFORMATION

Registered address

Street address

*(if same as registered address,
write "as above")*

Postal address

*(if same as registered address,
write "as above")*

A.13 Foreign Investment Review Board approval

Does the Applicant need to seek Foreign Investment Review Board (FIRB) approval for this controlling stake approval?

Yes

No

If yes, please keep APRA updated on the progress of the FIRB application.

End of Part A



PART B – SUPPORTING DOCUMENTATION

B.1 – Proposal

- | | | | |
|--|--------------------------|----------|--------------------|
| B1.1 Controlling Stake Proposal | <input type="checkbox"/> | Attached | <i>(check box)</i> |
| B1.2 Risk Assessment | <input type="checkbox"/> | Attached | <i>(check box)</i> |
| B1.3 Business Plan <i>(if applicable)</i> | <input type="checkbox"/> | Attached | <i>(check box)</i> |
| B1.4 Share Sale Agreement or equivalent <i>(if applicable)</i> | <input type="checkbox"/> | Attached | <i>(check box)</i> |

B.2 – Applicant documentation

- | | | | |
|---|--------------------------|----------|--------------------|
| B2.1 Analysis of applicants | <input type="checkbox"/> | Attached | <i>(check box)</i> |
| B2.2 Applicant's constitution, shareholder agreement or equivalent <i>(if applicable)</i> | <input type="checkbox"/> | Attached | <i>(check box)</i> |
| B2.3 Procedure for new investors due diligence and source of funds <i>(if applicable)</i> | <input type="checkbox"/> | Attached | <i>(check box)</i> |
| B2.4 Governing rules (for each RSE) <i>(if applicable)</i> | <input type="checkbox"/> | Attached | <i>(check box)</i> |

End of Part B – Supporting Documentation



PART C – ATTESTATIONS

The Applicant attests that each of the statements (i) and (ii) in this attestation are true and correct:

(i) Information provided

The Applicant attests that the information provided as part of this application complies with the relevant sections of the SIS Act and the relevant prudential standards.

In addition, the Applicant confirms that any change to the information provided in this application will be provided to APRA as soon as practicable after the information in the application ceases to be correct, together with a statement explaining the rationale for all changes.

(ii) Further information

The Applicant acknowledges that APRA may require more information and agrees to promptly provide any information that APRA considers necessary for the application to be fully considered.

The Individual Applicant, or if the Applicant is a body corporate/other, at least two directors or an authorised representative of the Applicant, must sign the attestation.

Name

Position

Signature

Date

 / /

Name

Position

Signature

Date

 / /

End of Part C



NOTES

Penalties for false information

Applicants should note that giving false or misleading information is a serious offence (see s.136.1, s.137.1 and s.137.2 of the *Criminal Code Act 1995*).

Disclosure

Where information is disclosed to APRA as part of this application, APRA may in turn disclose that information in any of the circumstances permitted by s.56 of the *Australian Prudential Regulation Authority Act 1998*.

Application confidentiality

Whilst APRA will treat information given to it during the course of an application in confidence, the information that is not provided by a regulated entity is not covered by the secrecy provisions in section 56 of the APRA Act and could be subject to a Freedom of Information request. If appropriate, Applicants should therefore indicate that their application is commercially sensitive and given in confidence.

When do Applicants apply to APRA for approval to own or control an RSE licensee?

To expedite the application process, Applicants are strongly encouraged to submit a draft application form prior to lodging the final application.

Applicants should apply at least 90 days prior to the proposed date of change of ownership or control. Applicants should also be aware that APRA may request any further information it considers necessary to assess the application.

Is there a prescribed fee?

There is no application fee to apply for approval to own or control an RSE licensee.

Where to lodge the application form

APRA uses a secure document portal for submission of applications and supporting information. Applicants will need to provide APRA with the details of those individuals who will be responsible for submitting the application. Access to the secure document portal will then be arranged for the selected individuals representing the Applicants.

Enquiries

Telephone: 1300 55 88 49
Email: licensing@apra.gov.au
Website: www.apra.gov.au

End of Form.